

*Marty Gottfeld
(Martin)*

October 16, 2017

FILED
IN CLERK'S OFFICE

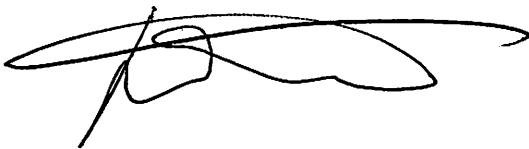
OCT 16 2017

Dear Judge Gorton,

RECEIVED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Please find the attached exhibits which I think the government would prefer you to not know about.

Thank you,

A handwritten signature in black ink, appearing to read 'Dana Gottfeld', with a large, sweeping horizontal stroke across the top.

Dana Gottfeld

Fate Of Accused Hospital Hacker In The Hands Of Judge With Personal Ties To Hospital

Posted at 7:00 pm on March 29, 2017 by Jim Jamitis

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I wrote last week about [the unjust selective prosecution](#) of alleged Anonymous hacker and human rights activist Marty Gottesfeld. Currently he is incarcerated awaiting trial for allegedly bringing down the Boston Children's Hospital donation website with a DDOS attack in response to that hospital's human rights violations against [Justina Pelletier](#). Now, Gottesfeld's fate is in the hands of a judge who probably can't deliver an impartial decision.

Gottesfeld's father passed away this week and Gottesfeld has requested temporary bail in order to deliver a eulogy the funeral on Saturday. It looks doubtful whether his request will get a fair ruling from the presiding judge though as she has significant ties to the alleged victim of the hacking of which Gottesfeld is being accused.

Boston Children's Hospital is a teaching hospital associated with Harvard Medical School. It represents the bulk of Harvard Medical School's pediatrics program.

The Magistrate Judge Marianne Bowler who will decide whether Gottesfeld is allowed to attend his father's funeral is married to a Harvard Medical School professor and she herself was employed by Harvard Medical School prior to embarking on her legal career. This is indicated in [her official biography](#).

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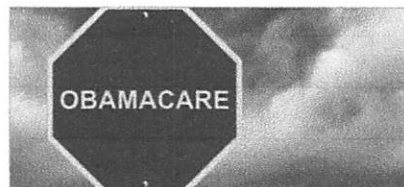
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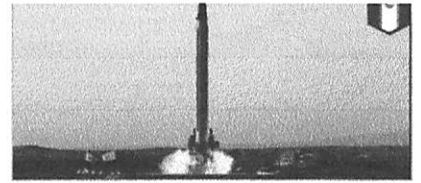
Born in Boston, Massachusetts, Judge Bowler received her Bachelor's degree from Regis College in pre-med and her J.D. degree cum laude from Suffolk Law School. Prior to attending law school, **Judge Bowler was a research assistant in biochemistry at Harvard Medical School** and a medical and scientific journalist. Her articles appeared in numerous newspapers and magazines.

...

Active in the intellectual property community, Judge Bowler is President of the Boston Intellectual Property Inn of Court and was a co-founding President of Boston College Inn of Court for Intellectual Property in 1997. She was also the first woman president of the Suffolk Law School Alumni Association and the first woman to chair the board of the New England Baptist Hospital. **Judge Bowler is married to Dr. Marc Pfeffer, the Dzaou Professor of Medicine at Harvard Medical School.** She enjoys extensive international traveling, is conversant in French, German and Italian, and is an accomplished artist specializing in faux finishes and trompe l'oeil painting. [Emphasis added]

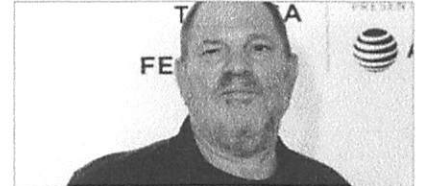
I've heard of judges recusing themselves from cases for much less than this. The stink of cronyism was already strong with regard to this case simply because elements within the city government and a prestigious medical school aren't being investigated for their own wrongdoing. That the presiding judge is connected to the medical school in question only makes it stink more.

On an unrelated but interesting note, Judge Bowler is also the same judge who made a hash of the interrogation of the surviving Boston bomber suspect by reading him his Miranda rights when the Justice Department had invoked the public safety exception to doing so.



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The FBI filed a federal criminal complaint against the 19-year-old on Sunday, and federal District Court Judge Marianne Bowler arrived at the hospital where he is being treated to preside over his initial hearing Monday, when she read him his Miranda rights.

[FBI officials told The Associated Press Wednesday that Tsarnaev acknowledged to investigators his role in the attacks before he was advised of his constitutional rights. He reportedly said he was only recently recruited by his brother to be part of the attack.]

But Fox News' sources say there was confusion about Bowler's timing, with some voicing concerns that investigators were not given enough time to question Dzhokhar under the "public safety exception" invoked by the Justice Department.

Two officials with knowledge of the FBI briefing on Capitol Hill said the FBI was against stopping the investigators' questioning and was stunned that the judge, Justice Department prosecutors and public defenders showed up, feeling valuable intelligence may have been sacrificed as a result.

It just gets better and better in left wing Massachusetts.

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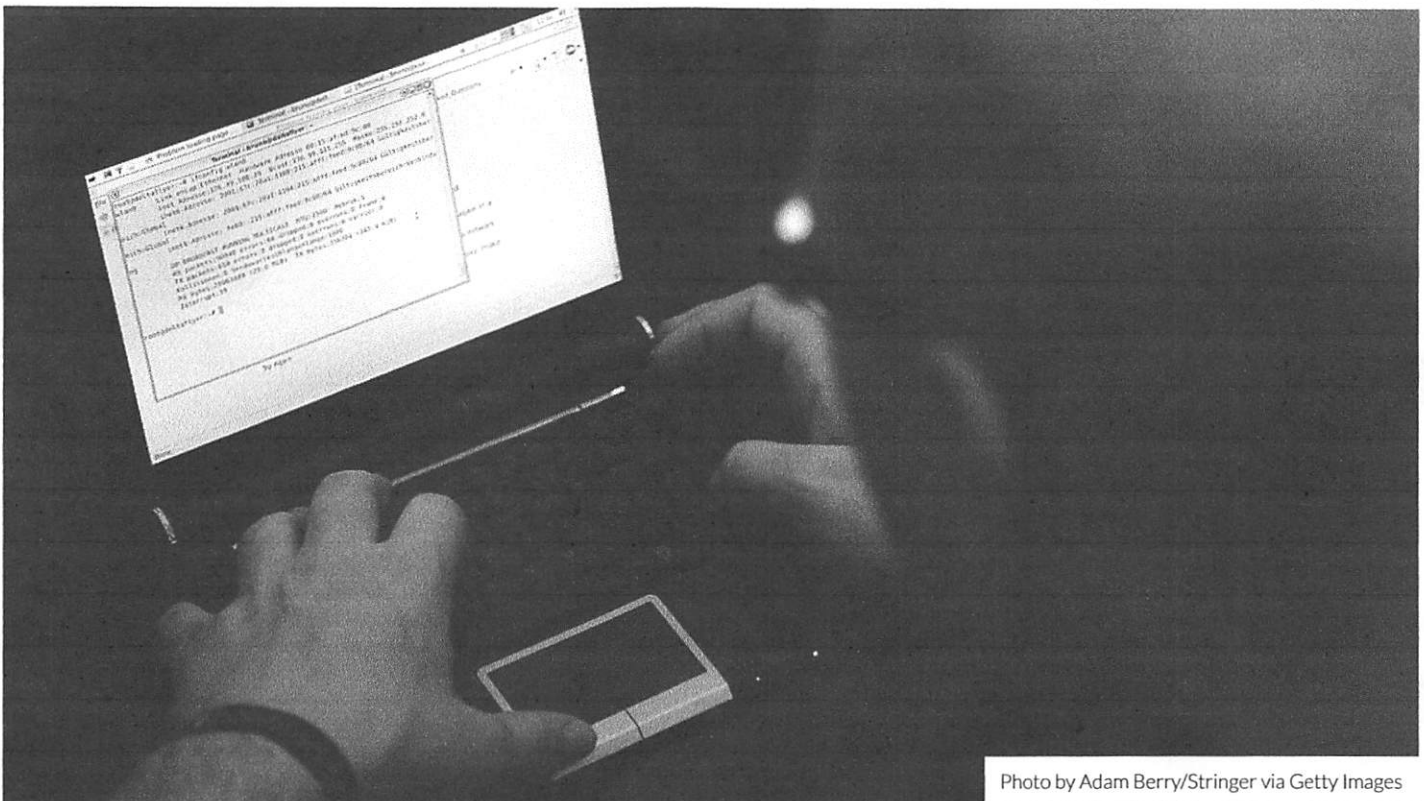


Photo by Adam Berry/Stringer via Getty Images

EXCLUSIVE: Jailed Hactivist Who Fought To Save Girl's Life Blocked By Biased Judge From Attending His Father's Funeral



By AARON BANDLER

April 9, 2017

A man who has been imprisoned for flooding a hospital's website with traffic to protest their abuse of a teen girl was prevented from attending his father's funeral by a judge with an apparent conflict of interest.

The man, **Martin Gottesfeld** (<http://www.freemartyg.com/martys-story.html>), was arrested (<http://www.washingtontimes.com/news/2016/oct/20/martin-gottesfeld-anonymous-hactivist-charged-ove/>) in 2016 for the online attacks he waged with the hacking group Anonymous against Boston Children's Hospital and Wayside Youth and Family Support Network for their horrid treatment of Justina Pelletier.

Justina (<https://www.bostonglobe.com/metro/2016/02/25/parents-justina-pelletier-sue-boston-children-hospital-for-negligence/jCrlgTQBViKJtokEnIFBmN/story.html>) was taken to the Boston Children's Hospital in 2013 for gastrointestinal issues while already dealing with **mitochondrial disease** (<https://www.umdf.org/what-is-mitochondrial-disease/>). The hospital bizarrely concluded

that Justina was actually dealing with some sort of mental health issue and she needed to cease all further treatment for mitochondrial disease. When her parents refused to follow the hospital's orders by citing Justina's mitochondrial disease diagnosis by Tufts Medical Center, the hospital asked for the state to intervene.

Justina was placed under state custody for 16 months, where she spent most of the time locked in the hospital's psychiatric ward and sent to a troubled teen facility, all while being denied her mitochondrial treatment. She was allowed little contact with her parents, and they were prohibited by the state from speaking out to the media. Justina was eventually released back into her parents' care in 2014.

Gottesfeld used the online attack against the hospital's donations page as a means to protest what was happening with Justina; now he faces up to 25 years in prison.

Gottesfeld's attorney filed for a temporary release so he could attend his father's funeral on April 1. The release was opposed by the Boston acting U.S. attorney, and it was denied by a judge because "she didn't feel that there had been a significant change in circumstances," according to Dana Gottesfeld, Martin Gottesfeld's wife.

"His mother was so distraught that her only surviving son wouldn't be there that she canceled it," Dana told *The Daily Wire*.

The magistrate judge who denied Gottesfeld's motion, Marianne Bowler, has ties (<http://www.redstate.com/jimjamitis/2017/03/29/fate-accused-hospital-hacker-hands-judge-personal-ties-hospital/>) to the Boston Children's Hospital, as she was research assistant at the Harvard Medical School. Her husband, Dr. Marc Pfeffer, is a professor at Harvard Medical School. Boston Children's Hospital is the school's "primary pediatric program." (<http://www.childrenshospital.org/bcrp/facilities/harvard-medical-school-and-the-longwood-medical-area>)

Additionally, Dana said that the acting Boston U.S. attorney who opposed the motion, William Weinreb, was following in the footsteps of his predecessor, Carmen Ortiz, a Barack Obama appointee. Dana called Ortiz's attorney's office "very politically motivated," pointing to Ortiz's zealous prosecution of internet activist Aaron Swartz (http://www.huffingtonpost.com/entry/carmen-ortiz-us-attorney-marty-walsh-prosecution_us_577a7ddce4b09b4c43c0e29a), which resulted in Swartz committing suicide.

"They find nonviolent crimes and then they smack people with over 30 years in prison, felony convictions, high restitution costs ... they just are trying to get notches in their belt." Dana said. "And many people just end up killing themselves."

Dana told *The Daily Wire* that she hopes Attorney General Jeff Sessions will step in and get the case dropped.

"We're just asking him to do the right thing," Dana said.

RedState blogger Jim Jantis accurately summed up the situation with **this passage** (<http://www.redstate.com/jimjantis/2017/03/23/city-boston-hospital-violated-teen-girls-human-rights-hacker-fought-faces-25-years-prison/>) :

It is utter hypocrisy that prosecutors want to put a man behind bars for something he did trying to help save Justina Pelletier's life, while doing nothing to the people who put her in danger in the first place. Boston Children's Hospital and the Boston Department of Children and Families violated Justina's human rights. They violated her parents human rights. Yet no one from Boston Children's Hospital or the city government is even facing criminal investigation.

I'm not condoning criminal action of any kind here. Being a vigilante is not something I would recommend to anyone.

However, from what I have seen of this case, Marty Gottesfeld may have broken the law but he did so in order to prevent an even greater crime from occurring. Selectively prosecuting Gottesfeld while doing nothing to the Harvard institution that imprisoned Justina Pelletier or to the city government who abetted the violation of the Pelletier's rights smacks of cronyism, corruption, and frankly, tyranny.

And now they're making it worse by keeping Gottesfeld from attending his father's funeral.

This article has been updated.

Follow Aaron Bandler on Twitter. (<https://twitter.com/bandlersbanter>)

More Judicial Conflicts Of Interest In The Case Of Justina Pelletier's Guardian Hacktivist

Posted at 4:24 pm on August 15, 2017 by Jim Jamitis

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Earlier this year I wrote about hacker Marty Gottesfeld being denied bail by Magistrate Judge Marianne Bowler who has ties to Harvard Medical School who runs the hospital Marty is alleged to have hacked in response to the medical kidnapping of Justina Pelletier. She determined that Gottesfeld is a "flight risk."

(For perspective, note that Debbie Wasserman Schultz's IT contractor who was arrested for fraud *while literally attempting to flee the country* was released with a GPS monitor while Gottesfeld has been sitting in prison for years awaiting trial.)

Now it looks like Bowler has an even bigger conflict of interest in this case. Bowler is an emeritus member of the board of directors for The Boston Foundation, a philanthropic foundation who gives money to the Wayside Youth and Family Support Network who along with Boston Children's Hospital is the target of the Pelletier family's lawsuit over the medical kidnapping of their daughter Justina.

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Thankfully, the troublingly compromised Bowler is not the trial judge for Gottesfeld's case. That will be one of the more conservative federal judges in Massachusetts, Nathaniel M. Gorton. Gorton was the Boston judge who ruled to discontinue the restraining order against President Trump's executive order that paused travel from seven predominantly Muslim countries until vetting procedures could be reviewed.

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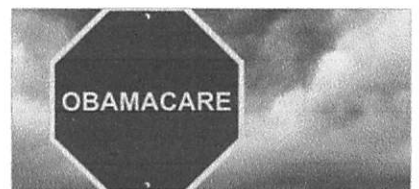
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Monday, 09 October 2017

Exclusive: Court Documents Show Federal Wrongdoing, According to Wife of Suspected Hacker in Medical Kidnapping Case

Written by C. Mitchell Shaw

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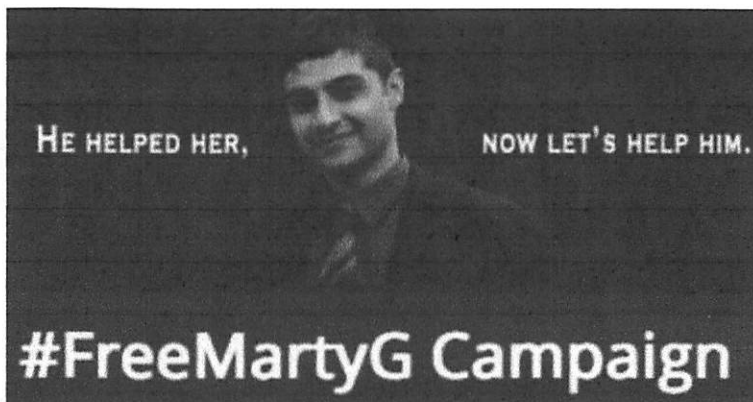
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The federal case of an accused hacker

illustrates the degree of malfeasance and underhanded tactics of the federal court system, according to the wife of that accused hacker.

Marty Gottesfeld is in prison awaiting trial on charges of hacking Boston Children's Hospital to save the life of a young girl. His wife, Dana Gottesfeld, has provided previously sealed court documents to *The New American*. She says those documents show that federal authorities "exceeded what they were legally allowed" to do in obtaining information about her husband's web traffic.



When Justina Pelletier's parents took the sick teenager to Boston Children's Hospital in February 2013, they had no idea the trip would result in a nightmare: the medical kidnapping of their daughter. They also had no idea that a man they had never met would later risk his own freedom to help Justina gain hers. That man — Marty Gottesfeld — believed he needed to act to save Justina's life. So as a senior systems engineer, he decided to apply his knowledge of computer systems to hit the hospital where it would hurt the most: On April 20, 2014, he knocked them off the Internet during a major fundraising drive.

When authorities — who had previously refused to investigate the claims of the Pelletiers and other families that the hospital had taken their children from them under false pretenses and that those children had been subjected to torture and other mistreatment — began to investigate the cyberattack, they looked at a YouTube video by someone claiming to be part of the hacktivist group Anonymous. That video, posted March 23, 2014, lays out the details of Justina's abuse at the hands of the state and the hospital. It also lists links to information about the judge who issued the order terminating the parental rights of the Pelletiers, and to the doctor who ignored the diagnosis of the Pelletiers' family doctor that the teen suffers from Mitochondrial disease (claiming instead that she was suffering from a psychological disorder), the hospital, and the treatment center to which the hospital had transferred Justina (and where she continued to be denied medical treatment and the necessary pain medications for her disease and be subjected to what she and her family describe as torture).

Investigators were able to link the video to Gottesfeld since it was posted from an account he had signed up for and was posted from his IP address. Based on that, investigators obtained a "Tap and Trace" order to gather more information on Gottesfeld. In defiance of the fact that there is nothing in the video that would have satisfied the Fourth Amendment's requirement of "reasonable cause," investigators were able to convince a judge to sign off on the Tap and Trace order. So that order — made available here for the first time — was based on a video that should reasonably have been protected by the First Amendment.

The video provided contact information for people involved in Justina's medical incarceration and "implores" viewers to "use this information to your maximum potential in order to save Justina's life." The video specifically asks viewers to make phone calls and write letters. Despite the fact that later reports claim that the video called for viewers to hack the hospital, there is nothing in the video or the links that support those claims.

In fact, another recent case is worth a little comparison to this case. When a University of Wisconsin-Madison student posted a YouTube video showing black students beheading police officers wearing pig masks, there was no search warrant issued, no Tap and Trace, no arrest. Not even an investigation — though one state senator did call for one. While the UW-Madison student's video actually calls for violence, Marty's video calls for (gasp!) making phone calls and writing letters to ask the people responsible for torturing a sick child to stop that torture and let her go home to her loving family.

Even more importantly, though, Dana Gottsefeld told *The New American* in an exclusive interview that the search warrant based on the Tap and Trace order — and issued *after* that order was carried out — listed information about particular Internet traffic that was gathered by authorities “exceeding what the Tap and Trace allowed.” She told us, “The search warrant affidavit [used to obtain the search warrant] mentions traffic obtained from the Tap and Trace. However the Tap and Trace, as ordered, shouldn't have given them those details.”

So it appears that federal investigators — time after time, step after step — have trampled the Constitution to play a rousing game of persecution by prosecution of a man who did what he did to defend a child's life. First, by honing in on Gottesfeld because of the video, then — if Dana Gottesfeld is correct (and it seems reasonable that she is) — by overstepping the boundaries of the Tap and Trace order obtained because of that video, leading to investigators obtaining a search warrant based on the information they gathered from that alleged overreach, and finally arresting Gottesfeld.

As to whether Gottesfeld did what he is accused of, the answer may be equally “yes” and “no.” Gottesfeld issued a statement published by the Huffington Post nakedly titled “Why I Knocked Boston Children's Hospital Off the Internet.” He lays out — in simple terms — both that he hacked the hospital's Internet server and — as the title implies — why he did it: “The defense of an innocent, learning disabled, 15-year-old girl.”

As Dana explained to *The New American*, “We don't see the nexus of this case as ‘Is the punishment too harsh for the crime?’ — it's that it's not a crime in the first place.” She went on to say, “When someone's life is at risk, the way Justina's was,” Marty's actions — which would normally be criminal — are justifiable. “Let's say this wasn't a digital case; let's say this was in physical reality — in an alleyway or something. If you saw someone being hurt, you're allowed to take action to defend their life. It's called ‘defense of others.’ And when you do that — even if you use physical force, even if it's deadly force — it's not a crime.” She added, “It's just because it's happening in cyber that it's more confusing.”

After more than a year of Justina's parents fighting a losing legal battle to save their daughter as she grew increasingly sicker, and the hospital being able to weather the bad press, Marty hit them where they felt it. He took them offline in the midst of a fund drive.

Shortly after that, Justina was allowed to go home.

Marty wrote in the statement linked above:

I also knew from my career experience as a biotech professional that no patients should be harmed if Boston Children's was knocked offline. There's no such thing as an outage-proof network, so hospitals have to be able to function without the Internet. It's required by federal law, and for accreditation. The only effects would be financial and on BCH's reputation.

As Dana explained to *The New American*:

And that's really how we see this case — knocking a hospital off the Internet doesn't even hurt anybody. But it did apply the financial pressure that released her when her parents said her life was in danger and that they were afraid she was going to die.

As to whether there is a one-to-one, direct connection between Marty's hacking and Justina's release, Dana said:

You can't isolate any one thing. There were a lot of people advocating for Justina. There were lawyers involved. But Boston Children's Hospital is largely untouchable. I mean, they can get bad press, but they're such a gigantic institution — just influentially — that bad press effects them a little, but hit them in their pocketbook and they're paying attention.

The prosecution — which, again, is building its case on the work of investigators who appear to have trampled the law underfoot to pursue this case — seems to have also drawn a connection between Marty's actions and Justina's release: They don't even want her mentioned in the case. As Dana told us, “The prosecution is motioning to exclude Justina from being mentioned at trial,” adding, “They're trying to narrow the scope and exclude Justina from testifying — from really getting into her story.”

And the impropriety and malfeasance doesn't stop there. The Tap and Trace order was not issued by a full judge, but by a federal magistrate. And it was not even the magistrate assigned to Gottesfeld's case. As constitutional lawyer and regular contributor to this magazine, Joe Wolverton, explains, “It's increasingly normal” for magistrates to issue these orders, though “it's not supposed to be that way.” He points to the FISA court as an example of this “new normal” where “they do it completely secretly.” Wolverton added that

having federal magistrates issue these types of orders "is one of those things that have gone on for so long that you can't even get conservatives who want to rein that in."

As for prosecutors having the Tap and Trace signed by a magistrate who is not even assigned to the case — in a move that appears to indicate "judge shopping" (or in this case, magistrate shopping) — Wolverton said, "Now see, that's a different thing," adding, "That's not normal at all." He went on to tell *The New American* that "federal procedure says that if prosecutors have to go to another judge, you have to transfer the case." But in Gottesfeld's case, prosecutors shopped for another magistrate to sign off on the Tap and Trace and then continued to have the original magistrate work the case. Wolverton said these steps by the prosecution are "actionable" but "not likely to go anywhere" because "they'll look at you and say, 'Yeah, great, you're right. But so what?' and nothing will happen."

Dana Gottesfeld agrees. She told *The New American*, "That's federal court in a nutshell. In 2012, the federal courts had a 93 percent conviction rate — which is insane — because most people take plea deals" while prosecutors break rule after rule to secure those astronomically high conviction rates.

So while the prosecution seeks to control both the narrative and what the jury will be allowed to know and also continues to bend the procedures of federal prosecution to near the breaking point, Dana is working to raise awareness of her husband's plight, because no one should face the prospect of a 15-year prison term for trying to save the life of a child. As part of Dana's efforts to raise awareness, she has much more information available at www.FreeMartyG.com and has coordinated with *The New American* to publish these newly released documents which are linked here as PDFs and on the FreeMartyG Instagram account.

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